UNITED STATES PATENT AND TRADEMARK OFFICE

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10/620,067	07/14/2003	Robert Douglas Christiansen	100204030-1	7123

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
	10/620,067	CHRISTIANSEN, ROBERT DOUGLAS
Office Action Summary	Examiner	Art Unit	
	Hilina S. Kassa	2609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *14 July 2003*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-22* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-22* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *14 July 2003* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1.   Claims 3, 17-22 are objected to because of the following informalities:

In claim 17, line 1, "media" should be changed to "medium", as "media" is the

plural form.

In claim 3, line 3, --; --, semi colon should be inserted before the beginning of

another limitation with in the same claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

2.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

3.   Claims 10-22 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter as follows.

Claims 10-22 recite "a computer-readable medium" which does not impart

functionality to a computer or computing device, and is thus considered nonfunctional

descriptive material. Such nonfunctional descriptive material, in the absence of a

functional interrelationship with a computer, does not constitute a statutory process,

machine, manufacture or composition of matter and is thus non-statutory per se. While

"functional descriptive material" may be claimed as a statutory product (i.e., a

"manufacture") when embodied on a tangible computer readable medium.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.   Claims 1-4, 6-18 and 21-22 are rejected under 35 U.S.C. 102(e) as being

anticipated by Berry et al. (US Patent Number 6,707,563 B1).

(1) regarding claim 1:

As described in figures 1 and 2, Berry et al. disclosed a networked computing

environment including a Raster Image Process (RIP) manager coupled to at least one

RIP engine (column 4, lines 21-29), a method for the RIP manager

to automatically configure the RIP engine, the method comprising:

receiving a print job (column 4, lines 35-38); and

requesting the RIP engine to perform dynamic configuration of at least one

RIPing parameter when the RIPing parameter is not congruent to a RIP manager

supplied processing preference (column 4, lines 64-67; column 5, lines 1-11), the

dynamic configuration being requested in consideration of the RIP engine RIPing a

particular portion of the print job (column 5, lines 15-32).

(2) regarding claim 2:

Berry et al. further disclose, a method as recited in claim 1, wherein the at least

one RIPing parameter is a RIPing algorithm, a resource/software version, a particular

font, or a color profile (column 5, lines 65-67; column 6, lines 1-20).

(3) regarding claim 3:

Berry et al. further disclose, wherein the RIP engine is a first RIP engine of first

and second RIP engines in a pipeline (column 5, lines 65-67- column 6, line1)

wherein the first and second RIP engines are heterogeneous with respect to one

another (column 12, lines 8-14); and

wherein requesting the RIP engine to perform dynamic configuration is further

directed to configuring the first RIP engine to process the particular portion using same

RIPing parameters as used by the second RIP engine to RIP a different portion of the

print job (column 12, lines 8-32).

(4) regarding claim 4:

Berry et al. further disclose, wherein the method further comprises downloading,

by the RIP engine, any configuration resource(s) indicated by RIP manager supplied

processing preference(s) that are not locally available to the RIP engine (column 30,

lines 23-40; note that colorimeter is considered as one of the configuration that is

downloaded to the printer).

(5) regarding claim 6:

Berry et al. further disclose, wherein the method further comprises:

directing the RIP engine to communicate a status to the RIP manager indicating whether the RIP engine can perform the dynamic configuration in accordance with the RIP manager supplied processing preference (column 4, lines 63-67; column 5, lines 12-26; column 17, lines 42-56); and

wherein the status determines whether the RIP engine or a different RIP engine in the pipeline will RIP the particular portion (column 14, lines 50-58).

(6) regarding claim 7:

Berry et al. further disclose, wherein the status is a response message or a lapse of time (column 17, lines 50-56).

(7) regarding claim 9:

Berry et al. further disclose, wherein the method further comprises:

determining that the RIP engine can successfully RIP the print job in accordance with the RIP manager supplied processing preference (column 14, lines 50-58); and

responsive to the determining, communicating the particular portion to the RIP engine for RIPing in accordance to the RIP manager supplied processing preference (column 14, lines 58-67; column 15, lines 1-9).

(8) regarding claim 10:

Berry et al. further disclose, a computer-readable medium having computer-program instructions executable by a processor for automatically configuring a raster image processor (RIP) engine stored thereon (column 17, lines 7-17), the computer-program instructions comprising instructions for:

evaluating a print job to identify a set of RIPing parameters (column 17, lines 18-29);

communicating the RIPing parameters to a RIP engine to direct the RIP engine to automatically configure its RIPing operations to conform to the RIPing parameters (column 14, lines 7-29).

(9) regarding claim 11 and 18:

Berry et al. further disclose, wherein the RIPing parameters indicate one or more specific RIPing algorithms, font resources, color profiles, and/or software versions (column 14, lines 7-12, lines 24-29).

(12) regarding claim 12:

Berry et al. further disclose, wherein the computer-program instructions further comprise instruction for supplementing or replacing the RIPing parameters with one or more default RIPing parameters (column 14, lines 50-67; column 15, lines 1-5; note that the black and white printing parameter is supplemented by color printing).

(10) regarding claim 13:

Berry et al. further disclose, wherein the computer-program instructions further

comprise instruction for:

receiving a download request from the RIP engine, the download request

identifying at least a subset of the RIPing parameters (column 10, lines 16-24; note that

the color verses black and white configuration is considered as the subset of

parameters); and

responsive to the download request, communicating resources corresponding to

the at least a subset of the RIPing parameters to the RIP engine for subsequent

installation by the RIP engine to configure its RIPing operations (column 10, lines 25-

31).

(11) regarding claim 14:

Berry et al. further disclose, wherein the computer-program instructions further

comprise instruction for directing the RIP engine to RIP at least a portion of a print job

using resource(s) associated with the RIPing parameters (column 14, lines 51-65).

(12) regarding claims 8 and 15:

Berry et al. further disclose, a computer-readable medium as recited in claim 10,

wherein the RIP engine is a first RIP engine of first and second RIP engines in a

pipeline (column 10, lines 1-6), and wherein the computer-program instructions further

comprise instructions for:

determining that the first RIP engine cannot successfully RIP a print job in accordance with the RIPing parameters (column 10, lines 11-16);

responsive to the determining, automatically configuring the second RIP engine to perform RIPing operations in accordance to the RIPing parameters (column 10, lines 16-24); and

communicating a particular portion of a print job to the second RIP engine for RIPing, the particular portion having previously been assigned to the first RIP engine (column 10, lines 25-34; note that the engine arranges the color and black and white configurations)

(13) regarding claim 16:

Berry et al. further disclose, a raster image processor (RIP) manager computing device comprising the processor coupled to the computer-program instructions recited in claim 10 (column 17, lines 7-17).

(14) regarding claim 17:

Berry et al. further disclose, a computer-readable media comprising computer-program instructions executable by a processor for automatically configuring a raster image processor (RIP) engine coupled to a RIP manager (column 5, lines 33-39), the computer-program instructions comprising instructions for:

receiving, by the RIP engine, a request to configure RIPing operations in accordance with one or more parameters specified by the RIP manager (column 12, lines 24-32); and

responsive to receiving the request, the RIP engine configuring RIPing operations based on the one or more parameters (column 12, lines 28-32).

(15) regarding claim 21:

Berry et al. further disclose, wherein the computer-program instructions further comprise instructions for:

determining that computer resources of the RIP engine are insufficient to download and/or install one or more resources corresponding to the one or more parameters from an identified network address (column 10, lines 11-16; note that when there is a problem configuring one or more parameters, the print engines are reconfigured to different engines depending on the need to print the job); and

responsive to the determining, re-assigning and communicating a portion of a print job assigned to the RIP engine to a different RIP engine coupled to the RIP manager (column 10, lines 16-31; column 12, lines 24-32).

(16) regarding claim 22:

Berry et al. further disclose, a computing device comprising the processor coupled to the computer-readable medium as recited in claim 17 (column 4, lines 24-29).

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 5 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Berry et al. (US Patent Number 6,707,563 B1) in view of Eisele (US Publication

Number 2002/0109869 A1).

(1) regarding claims 5 and 19:

Berry et al. disclose all of the subject matter as described above except for

teaching wherein RIP engine downloads configuration resource(s) from a network

address identified by the RIP manager.

However, Eisele discloses wherein RIP engine downloads configuration

resource(s) from a network address identified by the RIP manager (paragraph 3, lines

3-8).

It is desirable to have the RIP engine download settings from a network. This is

because it reliable and faster to use. Therefore, it would have been obvious to one of

ordinary skilled in the art at the time the invention was made to include the method as

taught by Eisele, in which RIP engine downloads configuration resource(s) from a

network address identified by the RIP manager, into the method of Berry et al., because

such feature is faster and reliable to be used.

(2) regarding claim 20:

Berry et al. disclose all of the subject matter as described above except for

teaching, wherein the identified network address is provided to the RIP engine by the

RIP manager and/or stored in the computer-readable medium, which is local to the RIP

engine.

However, Eisele discloses wherein the identified network address is provided to

the RIP engine by the RIP manager and/or stored in the computer-readable medium,

which is local to the RIP engine (paragraph 29, lines 4-9).

Therefore, it is obvious to one of ordinary skilled in the art at the time the

invention was made to include the method as taught by Eisele, in which the identified

network address is provided to the RIP engine by the RIP manager and/or stored in the

computer-readable medium, which is local to the RIP engine, into the method of Berry

et al., because such feature is easier to be utilized from the local engine than the

network address.

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Berry et al. (US Patent Number 6,606,165 B1) A method and apparatus for routing page data of a print job to the printers in a multi-print engine based on print job parameters associated with the page data of the print job is disclosed.

Inoue et al. (US Patent Number 6,456,388 B1) discloses a subject data file to be printed out and an application corresponding to the subject data file are downloaded from a computer network to an application download type printer enclosing a network computer.

9.   Any inquiry concerning this communication or earlier communication from the examiner should be directed to Hilina Kassa whose telephone number is (571) 270-1676.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shuwang Liu could be reached at (571) 272- 3036.

Any response to this action should be mailed to:

Commissioner of Patent and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

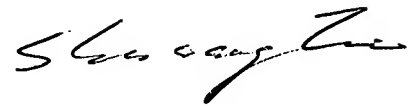**Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).**

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the Technology Center 2600 Customer Service Office

whose telephone number is (703) 306-0377.

Hilina Kassa

May 21, 2007

SHUWANG LIU
SUPERVISORY PATENT EXAMINER